

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 2, 3, 5-11, 15-18, 20-27, 31, 32, 34, 35, 45, 46, 48, 50, and 52-64 are rejected under 35 U.S.C. 102(a) as being anticipated by Monaghan (WO 02/086829 A1)

3. Regarding claims 53, 60, 63, and 64 Monaghan discloses:

- a transaction facilitating computing device including a processor, memory and software arranged to generate a payment gateway accessible by the customer computing device at a merchant network site generated by the merchant computing device (see system server of FIGS. 16-20, pg. 14, lines 4-25),
- the payment gateway arranged to initiate a payment process for the customer computing device to control payment to a merchant account from a customer controlled account of a financial institution associated with the customer, via a financial institution computing device and providing an interface means arranged to control the customer computing device to connect the customer computing device to a financial institution application provided by the financial institution computing device (see FIG. 17, step 136, FIG. 18,

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step 155), the customer computing device being arranged to provide a security device via the connection to the financial institution application (see FIG. 17, step 137), in response the financial institution computing device being arranged to process payment from the customer account to the merchant account, without the security device being transmitted via the merchant network site and merchant computer (see FIG. 18, step 155).

4. Regarding claims 2 and 20, Monaghan discloses wherein the interface means is arranged to connect the customer computing device to the financial institution application in real-time to enable the payment to proceed in real time (see pg. 14, lines 26-29).

5. Regarding claims 3 and 21, Monaghan discloses wherein the interface means is arranged to connect the customer computing device to the financial institution application during the on-line product transaction to enable the payment to occur during the product transaction (see FIG. 17, step 136).

6. Regarding claims 5 and 22, Monaghan discloses wherein the interface means is arranged to generate confirmation to the merchant computing device that payment has occurred, the interface means connecting the financial institution computing device to the merchant computing device to enable confirmation (see FIG. 19, step 156).

7. Regarding claims 6 and 23, Monaghan discloses wherein the interface means is arranged to provide a secure connection between the financial institution computing device and the

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merchant computing device for generation of confirmation that payment has occurred (see pg. 15, lines 18-22, FIG. 19, step 156).

8. Regarding claims 7 and 24, Monaghan discloses the interface means being arranged to obtain transaction details from the merchant network site and provide the transaction details to the financial institution application to facilitate payment (see FIG. 16, step 134).

9. Regarding claims 8 and 25, Monaghan discloses wherein the transaction details include the payment amount (see FIG. 17, step 138)

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10. Regarding claims 9 and 26, Monaghan discloses wherein the transaction details include a merchant account identifier (see FIG. 18, step 155).

11. Regarding claim 10, Monaghan discloses wherein the financial institution application is a known pre-existing financial institution application (see FIG. 17, step 136).

12. Regarding claims 11 and 27, Monaghan discloses wherein the security device is provided by the customer entering the security device via the customer computing system (see FIG. 17, step 137).

13. Regarding claims 15 and 31, Monaghan discloses a database arranged to store transaction details of transactions (see pg. 13, lines 18-24).

14. Regarding claim 16, Monaghan discloses wherein the database is arranged to be accessible by the merchant computing device to enable a merchant to obtain details of transactions that they are associated with (see pg. 13, lines 18-24).

15. Regarding claim 17, Monaghan discloses wherein the database is arranged to be accessible by customer computing devices to enable customers to obtain details of transactions that they are associated with (see pg. 9, lines 5-7).

16. Regarding claims 18 and 32, Monaghan discloses wherein the interface means is an agent application (see pg. 14, lines 4-25).

17. Regarding claims 34, 35, and 45, Monaghan discloses a non-transitory computer readable medium and system to implement the system in accordance with claim 53 (see system server of FIGS. 16-20, pg. 14, lines 4-25).

18. Regarding claims 46, 48, 50, and 52, Monaghan discloses wherein the financial institution application is an internet banking application (see FIG. 17, step 136, FIG. 18, step 155); wherein the connection is implemented to connect the financial institution application to the customer computing system (see FIG. 17, step 137)

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19. Regarding claims 54 and 61, Monaghan discloses wherein the interface means is arranged to automatically navigate the financial institution application to enter the transaction details (see FIG. 17, step 136).

20. Regarding claim 55, Monaghan discloses wherein the interface means is arranged to automatically navigate the merchant network site and obtain data from the merchant network site to obtain the transaction details (see FIG. 17, step 136).

21. Regarding claim 56, Monaghan discloses wherein the interface means is arranged to store the transaction details in the database (see pg. 9, lines 5-7).

22. Regarding claims 57 and 62, Monaghan discloses wherein the transaction facilitating computing device is arranged to download the agent application on initiation of the payment process (see FIG. 17, step 136)

23. Regarding claim 58, Monaghan discloses the system further comprising the financial institution application and financial institution computing device (see pg. 15, lines 11-15).

24. Regarding claim 59, Monaghan discloses the system further comprising the customer computing device (see pg. 9, lines 13-15).

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Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 12-14, 28-30, 37, and 41 rejected under 35 U.S.C. 103(a) as being unpatentable over Monaghan in view of Official Notice.

27. Regarding claims 12, 13, 28, and 29, Monaghan teaches claims 36 and 40. He does not teach encrypting and decrypting a security device. However, the examiner takes Official Notice that it is old and well known in the finance arts wherein the security device is stored in encrypted form, and wherein the interface means is arranged to decrypt the encrypted security means. It would have been obvious to one of ordinary skill in the art at the time of the invention to use encryption with the storage device to add an extra layer of security to the transaction.

28. Regarding claims 14 and 30, Monaghan teaches claims 36 and 40. He does not teach encrypting and decrypting a security device. However, the examiner takes Official Notice that it is old and well known in the finance arts for the system including storage means for storing decryption keys for decrypting encrypted security means. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a storage means for the decryption keys with motivation to provide a easier way to record and enter when needed the often lengthy

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and complicated decryption key. This is easier and faster than a user manually entering the decryption key each time decryption occurs.

29. Regarding claims 37 and 41, Monaghan teaches claims 36 and 40. He does not teach that the communications are in the form of e-mails. However, the examiner takes Official Notice that it is old and well known in the finance arts to make communications in the form of e-mail messages. It would have been obvious to one of ordinary skill in the art at the time of the invention to communicate through e-mail messages to quickly communicate between parties.

Response to Arguments

30. Applicant's arguments, filed 8/3/2010, with respect to the rejections of claims 53 and 60, and their dependent claims, under 35 USC 112, second paragraph, have been fully considered and are persuasive. The rejections under 35 USC 112, second paragraph, are withdrawn.

31. Applicant's arguments with respect to the rejections of claims 53, 60, 63, and 64, and their dependent claims, under 35 USC 102(a) and 35 USC 103(a) have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC T. WONG whose telephone number is 571-270-3405. The examiner can normally be reached on Monday-Friday 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

ERIC T. WONG
Examiner
Art Unit 3693

November 2, 2010